

doctor, as appears by the entry on that date in the Medical Book. The doctor prescribed for him as appears by the book. From the 3rd September to the 4th March following the prisoner made no complaints whatsoever, and went regularly to work, and there were no complaints against him. On the 4th March, 1880, the prisoner came round to my office and complained to me of a pain in his chest. I then said to him that he had better see the doctor. The time of this complaint was towards shutting-up time in the evening. I sent a note to the doctor that night, and the doctor came the next morning and saw the prisoner, and prescribed for him. I cannot say that I informed the doctor of any previous complaint by the prisoner of pain in the chest. I carried out the doctor's orders and blistered prisoner. Four days after the prisoner went to work. The next time the doctor saw the prisoner was on the 13th March, in answer to prisoner's request: he then also complained of pain in the chest. The doctor ordered medicine to be repeated. I usually ask the doctor if a prisoner is fit for work when he has complained of sickness; but I cannot say whether I did or did not do it on the occasions referred to. The doctor did not either on the 5th March or 13th March give any directions, verbally or otherwise, that prisoner was not to go to work. I believe the prisoner did go to work on the 13th March. On the 15th March the prisoner again applied to see the doctor, and did see him: it may have been that the doctor asked to see the prisoner, as he often does when a prisoner has previously complained. The prisoner went to work on the 15th, after the doctor saw him. On the 17th March the doctor again saw the prisoner. I cannot say whether his visit was at the prisoner's request, or that the doctor asked to see the prisoner. The doctor on this day, the 17th, made what appeared to me a minute examination of the chest—I would say very minute. After the examination the doctor made the entry in the book, "Prisoner Wilson perfectly fit to work." I think this entry was made in answer to a question put by me as to whether the prisoner was fit to work. There were no complaints whatsoever between the 5th and 17th March that prisoner did not do his work. I think about the 17th, however, Warder McKillop told me that prisoner Wilson seemed to be in pain: at least, that he stopped work when any one passed, and put his hand to his chest as if in pain, but he resumed work when the person had gone. I then called the prisoner round and told him I did not wish him to work if he was not able. The prisoner went to work after this, off and on, up to 23rd March. On that date the warder (McKillop) told me that prisoner Wilson had stood outside without doing any work for above an hour. I had prisoner called round to the office, and I told him I did not wish him to go out to work, and positively ordered him not to go out to work. The prisoner remained in all the 24th, and in the evening the doctor saw him. The entry by the doctor is, "Prisoner Wilson complains of shortness of breath;" and a prescription was given. On the 25th, when going my rounds, I found that Prisoner Wilson had gone out to work, contrary to my orders. I did nothing until the evening, when I called the prisoner and Warder McKillop into the office and asked the prisoner why he went out after I told him not to go. He replied that he would rather go out to work than be inside. I told him he was not to go out to work; and he did not go out to work again, but was treated in the same way as prisoners awaiting trial or not sentenced to hard labour—that is, he got No. 2 rations; four hours' exercise, two hours in morning and two hours in evening; and the rest of time in his cell, in which both bed and blankets were during the day and night. I am positive the blankets were not removed: at least, they were there when I inspected. On the 27th March the doctor called and asked to see the prisoner, and made a particular examination, and made the entry, "Prisoner Wilson is perfectly able to work, in spite of his complaints of pain in his chest. My firm opinion is that he is malingering." I made no alteration in prisoner's treatment, however; he did not go to work. After the 27th the prisoner made no complaint to me, nor did I hear of any made by him. The doctor did not see the prisoner again alive. The prisoner did not ask to see the doctor, nor did the doctor make any request to see the prisoner. I saw the prisoner every day between the 27th March and the 5th April—the day he died. I visited him on the 5th April about a quarter past ten a.m., and he was then in his cell sitting up in his bed reading a book. He had the bedclothes on. I merely looked into his cell on that occasion. I did not speak to him nor he to me. Nothing in his appearance struck me to indicate any change whatsoever. The dinner is served at 12 noon, and I heard nothing then of his not taking his dinner. At about 4 p.m. the doctor called on one of his usual visits and asked if any one wished to see him, and I said, "No," but would he see Wilson? and he went with me to the cell and found the prisoner lying on his side in bed in a perfectly natural way, but dead. Two books were by his side, with his spectacles laid on them. About a week or ten days before the death the night warder told me that he had heard the prisoner Wilson moan that night. I went along to the cells and listened, but everything was quiet. It was about 10 p.m. the warder told me this. On referring to the Visiting Justices' Book I find that no Visiting Justice had attended the gaol between the 27th January, 1880, and the 27th April, 1880, and the visit immediately previous to that of the 27th January was on the 19th September, 1879. The average number of prisoners during that period was 23. On the 27th March I had been down the town, and when I came in I found the doctor, Warder McKillop, and prisoner Wilson in my room. The doctor was putting questions to McKillop as I came in. They were as to Wilson taking his food. I heard McKillop say he would bring round some of the prisoners from the mess-room to ascertain how prisoner was eating his food. Two prisoners—Nathan Potter and another whose name I do not recollect—came round, and I heard them state to the doctor that at times prisoner Wilson not only did eat his own food, but a portion of food left by others. The prisoner did not contradict the statement, and the doctor remarked that he may have gorged his stomach, and that might account for the pain in his chest. I must say that, from the time he entered the gaol until the day of his death, I never observed anything in the appearance of prisoner Wilson which would indicate sickness or a suffering from pain of any kind.

*Horace G. Button*, sworn: I am a duly-qualified medical practitioner, and I am surgeon to the gaol and hospital at Invercargill. I was surgeon to the gaol on 28th March, 1879. I have no recollection of seeing or my attention being in any way called to prisoner John Wilson between 28th March and 3rd September, 1879. The first entry that I find in reference to prisoner Wilson in the Medical Attendance Book is on 3rd September, 1879. I do not think I was sent for, but at my usual visit Wilson applied to see me. He was then suffering from a cough. I prescribed for him. Nothing was said to me by any of the gaol authorities of any previous complaints by prisoner, nor did the prisoner, to my recollection, say anything about pain in his chest on this occasion. I did not again